

TOWN COUNCIL MEETING - WEDNESDAY EVENING - MARCH 11, 2009

PRESENT: Marshall, Cordeiro, Parella, Barboza, and
Herreshoff

ALSO PRESENT: Diane C. Mederos, Town Administrator
Andrew Teitz, Esq., Assistant Town Solicitor
Marshall J. Netto, Town Sergeant

The Council met in regular session on Wednesday evening,
March 11, 2009 in the Town Hall, Council Chambers, beginning
at 7:05 o'clock PM, Council Chairman Marshall presiding:

Prior to the commencement of this evening's regular agenda,
Council Chairman Marshall noted that he had recently visited
an area business and found that this business was doing
remarkably well despite the prevailing economic concerns.
He also stated that he shared this information with the
Council as a "positive note."

Council Chairman Marshall also suggested that those present
should not "dwell" upon the negative message from the news
media and that it is better to consider one's situation "day
by day."

Councilman Cordeiro commented that many other cities and
towns are "much worse off" than Bristol; this fact
attributable to the efforts of Town Administrator Mederos,
Town Treasurer Day and the Council.

Council Chairman Marshall noted that the Council's call for
volunteers to shovel snow for those who are unable to do so
was successful with seventeen (17) calls for assistance
being answered.

Councilman Cordeiro suggested that someone might help
downtown businesses by shoveling snow left behind after the
sidewalk plow passes by. He explained that it is sometimes
difficult to exit an automobile when it is parked adjacent
to the snow piles resulting from the sidewalk plowing.
Councilman Cordeiro also stated that the Public Works
Department did a good job during the last snow storm.

MOTION RE: CONSENT AGENDA - TO APPROVE THE CONSENT AGENDA

Cordeiro/Herreshoff - Voted
unanimously to approve the Consent
Agenda withholding agenda items
AA6, AA7, AA8, AA9, R2, R6, and R16
for further consideration.

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Prior to the vote taken, Councilman Herreshoff suggested that the Council may wish to further review agenda items AA6, AA7, AA8 and AA9; and Councilman Barboza suggested that the Council may wish to further review agenda items R2, R6 and R16.

A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)

1. Town Council Special Meeting - February 21, 2009

Herreshoff/Cordeiro - Voted unanimously to accept these minutes as prepared and presented.

2. Town Council Meeting - February 25, 2009

Herreshoff/Cordeiro - Voted unanimously to accept these minutes as prepared and presented.

(CA) AA. SUBMISSION OF MINUTES-Boards and Commissions

Approval of consent agenda="Motion to receive and place these items on file."

1. North and East Burial Ground(s) Commission - December 1, 2008
2. Zoning Board of Review - January 5, 2009
3. Zoning Board of Review - February 2, 2009
4. Board of (Fire) Engineers - March 2, 2009
5. Economic Development Commission - January 8, 2009
6. Board of (Tax) Assessment Review - December 15, 2008

Herreshoff/Cordeiro - Voted unanimously to receive and place agenda items AA6 through AA9 on file and invited Town Solicitor Ursillo to attend the pending tax assessment review workshop.

Prior to the vote taken, Councilman Herreshoff suggested that the Council might take agenda items AA6 through AA9

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home and "further digest" the contents of these minutes of the Board of Tax Assessment review.

Councilman Herreshoff noted that constituent complaints continue regarding the most recent property tax revaluation and the operation of the Board. He further noted that there appears to be a conflict between the opinion expressed by some taxpayers and the report provided by the Town Solicitor regarding this matter.

Councilman Herreshoff explained that there is an ongoing complaint of "rampant" inequity and unfairness in assessments and that certain individuals are of the strong opinion that their tax bills are inordinately high.

Councilman Cordeiro stated that he was of the opinion that the Board of Tax Assessment Review does a good job for the Town and expressed concern that the complaints are derived from some "disgruntled" taxpayers. He noted that a similar concern about the quality of a tax revaluation was raised recently in Barrington and featured in a *Providence Journal* newspaper article.

Councilman Barboza stated that he was "putting more stock" in the report provided by the Solicitor that concluded the Board of Tax Assessment Review was operating properly.

Councilman Herreshoff noted that many of the complainant's assertions is that the Tax Assessor was "too dominant" within the proceedings of the Board and suggested that the Board chairman should run the meeting.

Councilman Herreshoff explained his theory that the Board meeting should be arranged as a court trial with the Assessor as "prosecutor," the taxpayer as "defendant," and the board in the capacity of judge and jury.

Councilman Herreshoff noted that he forwarded one of the complainant's letters to Town Solicitor Ursillo who suggested that perhaps the meeting of the Board of Tax Assessment Review he attended, and reported to the Council upon, was atypical. He further explained to the Council that his goal was not to redo the past revaluation but to rather fine-tune the system of revaluations.

Councilwoman Parella asked to know the status of the legislative plan to change the revaluation period from three to five years. The Clerk agreed to check the General Assembly's website in order to find the status of this legislation.

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7. Board of (Tax) Assessment Review - January 7, 2009
8. Board of (Tax) Assessment Review - January 21, 2009
9. Board of (Tax) Assessment Review - February 11, 2009

B. OLD BUSINESS

1. Councilman Herreshoff re Public Works suggestions (High Street Speed Bumps),
continued from January 7, 2009

Barboza/Herreshoff - Voted
unanimously to continue this matter
until the meeting of April 1, 2009.

Prior to the vote taken, Councilman Herreshoff stated that he suggested that the speed bumps might be removed since the area schools (the initial reason for the bumps) were no longer in use.

Councilman Herreshoff suggested that this might be part of a "spring cleanup" project and the bumps were obsolete and a nuisance.

Councilman Herreshoff also reminded the Council that Fire Chief Martin indicates that these bumps are detrimental to fire apparatus.

Town Administrator Mederos informed the Council that she was in agreement that Fire Chief Martin finds the speed bumps problematic. She further noted that Public Works Director Serbst is obtaining quotations to have the bumps removed.

Public Works Director Serbst informed the Council that he had received some quotations for the bump removal project but was awaiting additional quotations. He noted that he was reluctant to release the cost information thus far since this might jeopardize the confidentiality of the quoting process.

Councilman Cordeiro asked if it might be possible to relocate the High Street speed bumps to a portion of the road near the Mt. Hope High School on Chestnut Street.

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Public Works Director Serbst responded that he did not think this was a practical option. Public Works Director Serbst also noted that the street under the speed bumps has been excavated to accommodate same and that the road must be rebuilt once the bumps are removed.

Councilman Barboza expressed caution that the Town might be advised to withhold action on the speed bumps since the School District remains unclear as to whether or not it may ask to again use the John Post Reynolds School in the near future.

Councilman Herreshoff asked to know if there was anything to report on the Federal Stimulus program with Town Administrator Mederos reporting that the Town is "still waiting" to hear. She suggested that the Council members may wish to speak to their State contacts regarding this matter.

Councilman Herreshoff asked if the State point person was identified with Town Administrator Mederos reporting that the State administration appears to be "still formulating" its stimulus organization. She noted that a "Mr. Flynn" is the apparent leader of the program but that he appears to be yet unavailable for information.

Councilman Herreshoff expressed concern that the Federal guidelines for the Stimulus funds require that projects should begin within one-hundred and twenty (120) days. He also expressed concern that the State may lose the funding if the projects are not begun in a timely manner.

Assistant Solicitor Teitz stated that he is informed that the State Department of Transportation appears to be "first in line" for Stimulus funds with Council Chairman Marshall noting that the General Assembly seems to be involved in the decision making also.

Councilman Cordeiro noted that the various parties should "straighten out" the distribution of the funds since the officials "do not want egg on their face."

Council Chairman Marshall stated that he was informed that some of the Stimulus funding will be paid directly to aid education.

Councilman Herreshoff stated that the Town Administrator's Stimulus request list was "very sensible." He also speculated that the Town of Bristol should be the recipient of \$78 million in Stimulus funds were the funds to be distributed equitably.

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Council Chairman Marshall suggested that the Town should aggressively continue to make inquiries about the availability of the Stimulus funds with Town Administrator Mederos stating that she intended to be a "squeaky wheel."

Councilwoman Parella stated that she was hopeful that the Mr. Flynn aforementioned was in fact Kevin Flynn since she is aware that this gentleman is a "good planner" and appears competent to manage the program.

Director of Community Development Williamson noted that the Town was asked to add the high priority Stimulus items to the CDBG application.

Council Chairman Marshall noted that the Bristol Housing Authority has received Stimulus funds to support energy efficiency improvements.

2. Council Clerk Cirillo re removal of handicap parking space from official list at 26 Shaw's Lane, **2nd reading for adoption**

Herreshoff/Barboza - Voted unanimously to consider this action to constitute the Second Reading for adoption of the request to remove the handicap parking space. Inform the Public Works Department.

3. Town Solicitor Ursillo re Weaver's Cove - Motion to Intervene

Barboza/Cordeiro - Voted unanimously to receive and place this matter on file.

Prior to the vote taken, Assistant Solicitor Teitz reported that the Motion to Intervene was filed electronically in advance of the deadline. He further stated that he was uncertain as to whether or not the Federal Energy Regulatory Commission had reacted to it as yet.

4. Councilwoman Parella re Opportunities for Tri-Town Collaboration Report, May 1992, **continued from February 25, 2009**

Cordeiro/Parella - Voted unanimously to continue this matter until the meeting of April 22, 2009.

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Prior to the vote taken, Councilwoman Parella reported that the Town has been in contact with Michael Hall of Roger Williams University and that the University will be submitting names of graduate students to be considered for the internship.

Councilwoman Parella further agreed to interview the students in order to define the project and select the most fitting candidate for the project.

BB. SPECIAL /STATUS REPORTS

C. PUBLIC HEARINGS

D. ORDINANCES

1. Ordinance #2009-02, CHAPTER 16, Motor Vehicles and Traffic, Article V, Stopping, Standing, and Parking, Section 16-143, Parking prohibited at all times (Old Ferry Road), **2nd reading**

Late Item

- a. (Robert) RJ Sousa, 18 First Street, et al - request for public hearing pursuant to Town Charter Sec. 208 (c) re Ordinance 2009-02, parking prohibited on Old Ferry Road

Herreshoff/Cordeiro - Voted unanimously to set the public hearing for April 1, 2009 during the regular Council meeting. Advertise in local newspaper.

2. Ordinance #2009-03, CHAPTER 17, Offenses and Miscellaneous Provisions, Article II, Alcoholic Beverage Establishments, Division 1, Generally, Section 17-52, Closing hour, **2nd reading**

Barboza/Parella - Voted unanimously to consider this action to constitute the Second Reading for adoption of Ordinance #2009-03. Advertise in local newspaper.

(CA) E. BUDGET ADJUSTMENTS

Approval of consent agenda="Motion to approve these adjustments."

1. Tax Assessor Spagnolo - Recommended Abatements & Additions for March, 2009

- Late Item**
- a. Tax Assessor Spagnolo - Recommended Abatements & Additions for March, 2009 (supplemental)

(CA) F. APPOINTMENTS

Approval of consent agenda="Motion to approve advertising these Appointments."

1. Public Service Appointments
 - a. Harbor Commission (term to expire March, 2012)
 1. Dominic Franco, 26 Tower Street - interest/reappointment

Councilman Cordeiro nominated Mr. Franco for reappointment.

Cordeiro/Barboza - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot in favor of Mr. Franco, term to expire in March, 2012.

- b. Zoning Board of Review (term to expire March, 2014)
 1. Charles Alexandre, 23 Cottage Street - not seeking reappointment
 2. Bruce I. Kogan, 18 Greylock Road - interest/appointment
 3. Michael A. DeMello, 856 Hope Street - interest/appointment

- Late Item**
4. David P. Raposa, 6 Rego Avenue - interest/appointment

Herreshoff/Cordeiro - Voted unanimously to instruct the Clerk to schedule interviews for these

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candidates during the upcoming budget workshops.

- c. Zoning Board of Review - Alternate (2) (terms to expire March, 2011)
 - 1. Bruce I. Kogan, 18 Greylock Road - interest/reappointment
 - 2. Edward P. Stuart, Jr., 31 Birchwood Road - interest/reappointment

Late Item

- 3. David P. Raposa, 6 Rego Avenue, interest/appointment

Herreshoff/Cordeiro - Voted unanimously to instruct the Clerk to schedule interviews for these candidates during the upcoming budget workshops.

- d. Board of Fire Engineers - 2009

Councilman Barboza nominated the slate of candidates for Board of Fire Engineers as presented for appointment pursuant to Town Code Sec. 12-57 for the ensuing term.

Barboza/Cordeiro - Voted unanimously to close nominations and to instruct the Clerk to cast one ballot each in favor of the slate of candidates as presented.

- e. Charter Review Commission

- 1. Michael A. DeMello, 856 Hope Street - interest/appointment

Herreshoff/Cordeiro - Voted unanimously to instruct the Clerk to schedule interviews for this candidate during the upcoming budget workshops.

- (CA) 2. Public Service Appointments for April

G. LICENSING BOARD - NEW PETITIONS

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1. Michael J. Mendoza, d/b/a Hot Bodeez Tanning Center, 349 Metacom Avenue - request for Holiday Sales License

Late Item

- a. Recommendations - Town Administrator and Police Chief

Barboza/Herreshoff - Voted unanimously to grant this license based upon the recommendations received and subject to conformance to all laws and ordinances and payment of all fees, levies and taxes.

Amend.

2. Antonio F. Avila, St. Elizabeth Church/Pico da Pedro, 577 Wood Street - request for One-Day Dancing and Entertainment License

Herreshoff/Cordeiro - Voted unanimously to grant this license subject to any stipulations forthcoming from Administration and conformance to all laws and ordinances and payment of all fees, levies and taxes.

H. LICENSING BOARD - RENEWALS

1. Cesspool License Renewals for 2009-2010

- a. Recommendations - Town Administrator and Water Pollution Control Facility

Late Item

- b. Cesspool License Renewal petitions

Herreshoff/Parella - Voted unanimously to grant renewal of these licenses based upon the recommendations received and subject to conformance to all laws and ordinances and payment of all fees, levies and taxes.

2. Tattoo License Renewals for 2009-2010

Herreshoff/Cordeiro - Voted unanimously to receive and place this matter on file.

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Prior to the vote taken, the Clerk informed the Council that there were no applicants for Tattoo Licenses at this time.

(CA) I. UTILITY PETITIONS

Approval of consent agenda="Motion to approve these petitions."

J. PETITIONS - OTHER

1. Julie P. Davis, 10 Church Cove Road - request Council assistance re coyote over population

The Council unanimously agreed by consensus to refer this matter to the Town Solicitor so that he may recommend appropriate ordinance amendments.

Prior to the action taken, Ms. Davis appeared before the Council and informed its honorable body that she has been a resident of the Town for ten (10) years and was of the opinion that the local government does an admirable job and also that it is a pleasure to live in the Town.

Ms. Davis provided copies of several newspaper articles outlining coyote attacks in Bristol these covering an attack on a dog owned by her, an attack on a child on Prudence Island and also a fatal attack upon another dog three weeks ago.

Ms. Davis also explained that she was "charged" by a coyote while she was driving a golf cart on her property and that she made loud noises and gestured the animal away.

She expressed concern that local coyotes are becoming "brazen" and are no longer generally in fear of humans. She expressed further concern that the State Department of Environmental Management (DEM) refuses to address the problem providing only "lip service." She also informed the Council of the DEM's instructions not to have food on her property available for the coyotes explaining that she does not have any food available on her property in reach of wild animals.

Ms. Davis stated that the DEM Coyote Hotline is a "joke" and that she has documented all of her efforts regarding this matter and that the DEM offers only suggestions and no solutions.

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Ms. Davis informed the Council that DEM Director Sullivan informs her that the coyote problem is a "local issue" and that he advised her to call the police department whenever she sees a coyote and the police will destroy the animal.

Ms. Davis speculated that the suggestion of Mr. Sullivan was impractical since she was of the opinion that the coyotes will not wait for the police to arrive.

Ms. Davis also explained that the problem appears to be potentially solvable through education and that those persons who store food-garbage in plastic bags may be inadvertently providing a food source for the coyotes.

Ms. Davis informed the Council that the State of California requires that garbage for pick-up must be kept in rubbish barrels with lids. She also noted that there were no coyotes in Rhode Island forty (40) years ago and that the proliferation of the animals in residential areas may be the result of lost habitat due to development. She also explained that the coyote seems to have no natural predators in the area and in other states the predator is the mountain lion.

Ms. Davis noted that Town Ordinance forbids the discharge of a firearm and suggested that the Council should do "something" about the problem of coyotes.

Ms. Davis suggested that the Council might investigate Massachusetts law that provides for orderly guidelines for shooting coyotes at certain times of the year and that a bounty of \$25 might be placed on coyote kills. She also suggested that the Town Ordinance might be amended to prohibit the placing of garbage in bags.

Ms. Davis concluded that the lack of rabbits and fox in her area was the direct result of coyote overpopulation.

Council Chairman Marshall stated that he appreciates hearing from Ms. Davis on this matter and further stated that he was informed that hunting coyotes was illegal with Ms. Davis responding that, beyond a bounty, there is no practical reason to hunt coyotes since these animals are not considered a food source.

Council Chairman Marshall noted that in these cases, the Council may refer the matter to a department head for a recommendation.

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Mary Olson of Terrace Drive informed the Council that her dog was killed by a coyote and that there have been sightings for several months in her neighborhood. She also informed the Council that her home abuts a woodland area and she enjoys looking upon the woodland.

Ms. Olson informed the Council that she does not wish to become "a prisoner" in her own yard but also explained that she did not have a proposal for a solution to the problem of coyotes.

Councilman Barboza informed those present that he "Googled" coyotes on the internet and prepared an informational booklet on coyotes. Councilman Barboza provided copies of the booklet for the audience and also for distribution in Town Hall. Councilman Barboza expressed his condolences to Ms. Olson upon the loss of her dog and recounted his understanding that it is illegal to discharge a firearm in Bristol.

Assistant Solicitor Teitz suggested that the Council might review its ordinance regarding trash containers with Ms. Davis suggesting that the Town might enact an ordinance to require certain types of garbage cans.

It was noted for the record that certain urban areas require garbage cans in order to control rat infestations.

Assistant Solicitor Teitz informed the Council that the City of Providence paid for and provided trash cans to the public.

Public Works Director Serbst stated that seagulls appear to be a much larger problem than coyotes insofar as garbage bag damage is concerned. He also noted that the Town ordinance requires suitable containers

Councilman Herreshoff asked to know if DEM has a coyote program with Assistant Solicitor Teitz responding that DEM doesn't have a specific program for wild animals. He also noted that New Shoreham hires hunters to "thin" the deer herd and that this practice is not universally acceptable to a large portion of the island's residents.

Councilman Herreshoff asked to know if the coyote problem is experienced State-wide with Assistant Solicitor Teitz responding that he believes the animal has a range of several miles.

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Ms. Davis suggested that the Town should enforce its garbage container ordinance, if it is in-fact suitable, and to establish an educational program to prevent the feeding of coyotes by its citizens.

The Council noted that the applicable section of the Town Code is 24-36 and asked the Town Solicitor to examine same.

2. Diana Campbell, Advisory Board, Kickemuit Education Foundation and Nancy Chase, Co-Chairperson, Event Committee, Kickemuit Education Foundation - request opportunity to address Council re upcoming "Bodacious Bee" fundraiser

Barboza/Parella - Voted unanimously to "field" a Town team for this activity, if practicable, and to also receive and place this matter on file.

Prior to the vote taken, Ms. Chase asked the Council for its support of this fundraising effort.

Council Chairman Marshall commented that this foundation was successful in its providing funds for extracurricular activities in the local schools.

3. Jessica Silvia, 110 State Street - request for removal of handicap parking space at 108 State Street, **1st reading**

Barboza/Herreshoff - Voted unanimously to consider this action to be the First Reading to remove a handicap parking space. Continue to the meeting of April 1, 2009 for second reading.

K. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

1. Town of West Warwick - request for support of resolution related to ending the filing of Caruolo Actions against Cities and Towns

Cordeiro/Barboza - Voted unanimously to support this resolution and forward a copy of same to the local General Assembly delegation.

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2. Director of Community Development Williamson re Grant Awards for Open Space Acquisitions and Town Beach Stormwater Improvements

Barboza/Herreshoff - Voted unanimously to receive and place this matter on file with thanks to Edward Tanner and Jennifer Astrella.

Prior to the vote taken, Town Administrator Mederos reported that the grant award was presented by Governor Carcieri at the State House to Principal Planner Tanner, Jennifer Astrella, Chairman of the Open Space Committee, Director of Community Development Williamson, and Stephan Brigidi also of the Open Space Committee.

Director of Community Development Williamson reported that the successful applications were prepared by Principal Planner Tanner along with Ms. Astrella.

Council Chairman Marshall reminded the Council that Department of Environmental Management Director Sullivan has been most supportive of the efforts of the Town of Bristol.

3. Jeanne-Marie Napolitano, Mayor, City of Newport - invitation to 53rd Annual Saint Patrick's Day Parade, March 14, 2009

Barboza/Herreshoff - Voted unanimously to instruct the Clerk to send a letter of thanks and sincere regrets to Mayor Napolitano and to receive and place this matter on file.

Prior to the vote taken, Councilman Herreshoff informed the Council that he had participated in this event in the past and that this was an agreeable experience.

Councilwoman Parella also noted her past participation while a Senator in the General Assembly representing Bristol and Portsmouth.

4. RI Senate Resolution 2009 - S0158 re Congratulating Bristol, Rhode Island on Being Named One of America's "2009 Dozen Distinctive Destinations"

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Herreshoff/Barboza - Voted
unanimously to receive and place
this matter on file.

Prior to the vote taken, Council Chairman Marshall asked to know when the banners publicizing this honor will be installed with Town Administrator Mederos reporting that these will be installed in the near future.

Council Chairman Marshall informed the Council that he was of the opinion that this year's tourist season will be "robust."

5. (Draft) Resolution re Creating the Bristol Industrial Park Revitalization Plan Steering Committee

Barboza/Herreshoff - Voted
unanimously to adopt this
resolution adding the provision to
include a neighborhood resident;
appointed to the post by the
Chairman.

Prior to the vote taken, Councilwoman Parella expressed concern that this type of committee should include someone who actually resides in the vicinity of the revitalization area.

The Council, by consensus, agreed that the neighborhood representative on the committee would be appointed by the Chairman.

Councilman Cordeiro stated that he would like to represent the Council on the committee with Council Chairman Marshall in agreement.

Councilwoman Parella asked if the Chairman envisioned the project eventually becoming a Community Development Corporation with Council Chairman Marshall responding that this was a possibility and also that the project may become some type of business condominium. Council Chairman Marshall also noted that the structure, as proposed in the resolution, will allow access to economic development funding.

Council Chairman Marshall also noted that the State economic development authorities have this project "on the radar screen" and that the focus of the project is to bring the facility "to light" and attract compatible industries.

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Director of Community Development Williamson noted that she was applying for grant funding from the Rhode Island Foundation so as to retain a professional facilitator to work on this project along with the committee and to "put the vision on paper."

Council Chairman Marshall suggested that Director of Community Development Williamson should "reach out" to Edward Sanderson of the Rhode Island Historical Preservation and Heritage Commission since the subject site is listed on the National Register of Historic Places.

L. BILLS & EXPENDITURES

(CA) M. ROUTINE REPORTS

(CA) N. FINANCIAL REPORTS

Approval of consent agenda="Motion to receive and place this item on file."

1. Town Treasurer Day - Revenue and Expenditure Statement, March 6, 2009

P. PROCLAMATIONS & CITATIONS

1. Commendation - Christopher Azar, Eagle Scout Court of Honor
 - a. Roy Leffingwell, Scoutmaster, Troop 6 - invitation to Eagle Scout Court of Honor for Christopher Azar on March 14, 2009

Herreshoff/Cordeiro - Voted unanimously to adopt this commendation as prepared and presented.

2. Commendation - Mason Wetherald, Eagle Scout Court of Honor
 - a. Roy Leffingwell, Scoutmaster, Troop 6 - invitation to Eagle Scout Court of Honor for Mason Wetherald on March 14, 2009

Herreshoff/Cordeiro - Voted unanimously to adopt this commendation as prepared and presented.

(CA) R. DISTRIBUTIONS/COMMUNICATIONS (to be received and filed by Council)

Approval of consent agenda="Motion to receive and place these items on file."

1. Director of Parks and Recreation Burke to Town Administrator Mederos re lack of progress in construction of "Colt State Bike Path - Transportation Improvements" and "Lighting Project"
2. Notice of Town Code Violation re Section 10-41 (j) Disorderly house at 15 Paine Avenue (John C. Medeiros)

Barboza/Parella - Voted unanimously to receive and place this matter on file.

Prior to the vote taken, Councilman Barboza noted for the record that this action was the direct result of an ordinance enacted recently by the Council in order to control disorderly houses. He stated that he was pleased to know that the ordinance was enforced.

3. Council Clerk Cirillo to Sen. David E. Bates, et al re draft legislation and resolution regarding collection of unpaid motor vehicle taxes, Burrillville resolution supporting legislation requiring utilities to pay for relocation of infrastructure, and resolution regarding opposition to Liquefied Natural Gas terminal
4. Resolution re collection of unpaid motor vehicle taxes
5. Resolution re opposition to proposal of Weaver's Cove Energy, LLC and Liquefied Natural Gas transportation
6. Town Administrator Medeiros to Michael P. Lewis, Director, Department of Transportation re lack of progress in construction of "Colt State Park Bike Path - Transportation Improvements" and "Lighting Project"

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Barboza/Herreshoff - Voted
unanimously to receive and place
this matter on file.

Prior to the vote taken, Councilman Barboza stated that he appreciated Town Administrator Mederos' efforts regarding this matter.

7. Council Clerk to Sen. Jack Reed, et al re resolution and House of Representatives draft resolution in opposition to Weaver's Cove plan to locate a Liquefied Natural Gas (LNG) terminal in Mount Hope Bay
8. Town Clerk/Council Clerk Cirillo to Stanton Ose, Conservation Commission re thank you for service
9. Warrant - Frank J. Sylvia, Bristol County Water Authority
10. Warrant - Michelle C. Mascena, Recreation Board
11. Warrant - David Dugan, Bristol County Water Authority
12. Town Clerk/Council Clerk Cirillo to Lisa J. Guercia, Recreation Board re thank you for service
13. Assistant Town Solicitor Teitz to Town Clerk Cirillo re Henry Sousa and RI Pension Laws
14. Warrant - David Coccio, Assistant Fire Chief
15. Proposal/Contract (signed copy) re Grant Writing Consultant, Dyan Vaughan
16. Bristol-Warren Regional Joint Finance Committee Resolution re request to extend the budget approval deadline an additional forty-five (45) days

Barboza/Parella - Voted unanimously
to receive and place this matter on
file.

Prior to the vote taken, Councilman Barboza noted the upcoming meeting of the Bristol Warren Regional Joint

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Finance Committee to be held on March 19th in the Town Hall, Council Chambers, and also thanked the Clerk, Deputy Clerk and Representative Raymond E. Gallison, Jr. for their efforts on behalf of the Bristol Warren Regional School District.

(CA) RR. DISTRIBUTIONS/NOTICE OF MEETINGS
(office copy only)

Approval of consent agenda="Motion to receive and place these items on file."

1. Harbor Commission - March 2, 2009
2. Coastal Resources Management Council - March 2009 Calendar
3. Bristol Warren Regional School Committee Policy/Community Affairs Subcommittee - March 2, 2009
4. Bristol Warren Regional School District - Schedule of Meetings, Week of March 2, 2009
5. Bristol County Water Authority/Audit Finance Committee - March 4, 2009
6. Bristol County Water Authority/Engineering Committee - March 4, 2009
7. Bristol County Water Authority/Public Relations/Personnel Committee - March 4, 2009
8. Bristol County Water Authority/Board of Directors - March 11, 2009
9. Coastal Resources Management Council - (Amended) March 2009 Calendar
10. North and East Burial Ground(s) Commission - Special Workshop, March 9, 2009
11. Bristol Warren Regional School Committee - March 9, 2009
12. Bristol Warren Regional School District - Schedule of Meetings, Week of March 9, 2009
13. North and East Burial Ground(s) Commission - Special Workshop, March 9, 2009 (Revised)

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S. TOWN SOLICITOR

Z. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS

1. MARSHALL

a. Thank You Mike Davis - Council Chairman
Marshall thanked Mr. Davis for his filming of this evening's meeting.

b. Energy Efficiencies - Council Chairman
Marshall noted the Town's efforts toward turning off the standard street lights in areas where decorative street lights have been installed since these appear to be more than sufficient.

Town Administrator Mederos noted that she is in contact with National Grid regarding this problem.

Councilwoman Parella noted that energy can be saved by powering-off computers while these are not in use.

c. Maintenance Issues - Council Chairman Marshall noted a badly damaged tree in the vicinity of Griswold and Metacom Avenues and also a utility pole on Sherry Avenue that was leaning irregularly.

2. CORDEIRO

3. PARELLA

a. Portsmouth Wind Turbine - Councilwoman Parella explained that she was present at the ribbon cutting of the new Portsmouth wind turbine and that those present were enthusiastic regarding same. She further stated that the development of a wind farm appears to make sense.

Councilman Herreshoff stated that he would be interested to see the financial reports associated with the wind turbine with Council Chairman Marshall noting that he is informed that the payback of this particular device appears to be better than originally anticipated.

b. Election-related General Assembly Action -
Councilwoman Parella noted the proposed General

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Assembly Bills H5572 and S0252 relating to a proposal to increase voters per precinct from 1900 to 3000.

The Clerk explained that this bill does have some impact upon the Town of Bristol where polls might be combined but that it also has significant impact upon many cities and towns that do not share as many State Senators and Representatives.

The Clerk also noted that there are several bills pending and agreed to prepare a memorandum informing the Council of those having a direct benefit to Bristol.

The Clerk also noted that some members of the General Assembly wish to reopen public schools on Primary days this creating difficulty for the Town of Bristol since elections cannot operate in Rockwell School when school is in session. The Clerk suggested that the General Assembly has more important issues to consider versus the closure of schools on Primary days.

4. BARBOZA

a. Joint Finance Committee - Councilman Barboza again noted the upcoming Joint Finance Committee meeting.

b. Coyote Information Booklet - Councilman Barboza noted that the Clerk provided the photograph on the cover of the Coyote Information booklet.

5. HERRESHOFF

a. Mike Davis - Councilman Herreshoff also thanked Mr. Davis for filming this evening's meeting.

b. Diane Davis - Councilman Herreshoff noted the presence of former Human Services Director Diane Davis and recognized Ms. Davis for her volunteer efforts for the High School band.

Ms. Davis noted that the band is seeking sponsorships for needy students to attend band activities in Washington, D.C. as part of the Cherry Blossom Festival.

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Councilman Cordeiro asked what might be needed with Ms. Davis responding that the group is in need of sponsorship for two (2) students at \$200 each. The Clerk agreed to help Ms. Davis prepare a formal request to the Council for one of its upcoming workshop meetings.

c. Sewer Inspections - Councilman Herreshoff noted that recent mailings by the Water Pollution Control Department seem to indicate that Clipboard, Inc. did not fulfill its responsibility to inspect for sump pumps while completing the Town-wide revaluation.

Town Administrator Mederos explained that she, too, was dissatisfied with Clipboard regarding this issue and that there were 300 responses to the 600 letters sent thus far by Water Pollution Control.

Water Pollution Control Superintendent Calderiso explained that the letters were part of the Environmental Protection Agency's regulation and that he will be sending an additional letter - this one not requesting appointment for inspections since this process is difficult to manage. The new letters will more likely simply seek information.

Councilman Herreshoff stated that his concern regarding this matter is that he is informed that the Clipboard employees did not examine the basements of houses inspected during the revaluation process with Water Pollution Control Superintendent Calderiso commenting that he was aware of some instances of the situation described by Councilman Herreshoff.

Councilman Herreshoff suggested that Clipboard might be asked to return part of their fee with Town Administrator Mederos noting that she is investigating the matter.

ZZ. TOWN ADMINISTRATOR AGENDA ITEM(S)

The Clerk asked the Council to consider amending the regular meeting schedule due to a date-conflict. The Clerk informed the Council that he must be out of town on November 18, and

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asked the Council to consider moving its meeting to either November 11 or November 25.

The Council agreed by Consensus to amend its meeting schedule to move the meeting of November 18, 2009 one week earlier to November 11. It was noted for the record that this was a State holiday with Assistant Solicitor Teitz explaining that the Council may choose to meet on this holiday should it desire to do so.

CITIZENS PUBLIC FORUM

William Sousa Grapentine asked the Council to consider the efforts of a group called "Make Every Vote Count;" this group interested in eliminating the "master lever" from the Rhode Island election ballot.

Mr. Grapentine stated that the group is attempting to gain the support of the legislature in the matter. He further noted that non-partisan elections are negatively impacted by the master lever and that the use of a master lever has been abolished in 35 states and Rhode Island is the only New England state having a master lever.

Councilwoman Parella stated that she has always supported the elimination of a master lever and finds the practice archaic.

Mr. Grapentine informed the Council that Senator Bates has sponsored legislation eliminating the master lever.

Councilman Cordeiro stated that he opposes elimination of the master lever since many persons in both political parties prefer to vote by master lever.

It was suggested that Mr. Grapentine might present the Council with a draft resolution regarding this matter for consideration at its next regular meeting.

There being no further business, upon a motion by Councilman Barboza, seconded by Councilwoman Parella and voted unanimously, the Chairman declared this meeting to be adjourned at 9:25 o'clock PM.

Louis P. Cirillo, CMC, Council Clerk

